

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 PM-07 NSC-07 SP-03 SS-20 RSC-01 CIAE-00

DODE-00 INR-10 NSAE-00 PA-04 USIA-15 PRS-01 L-03

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FM AMEMBASSY BONN
TO SECSTATE WASHDC 1584
INFO USMISSION BERLIN
USMISSION NATO BRUSSELS
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS

CONFIDENTIAL BONN 5517

E.O. 11652: GDS
TAGS: PGOV, GW, WB, UR
SUBJECT: CONTINGENCY RESPONSE TO SOVIET PROTEST ON
ELECTION OF FEDERAL PRESIDENT

REF: BERLIN 382

1. AT APRIL 3 BONN GROUP MEETING AD REF AGREEMENT WAS
REACHED ON TEXT OF CONTINGENCY RESPONSE TO POSSIBLE
FUTURE SOVIET COMPLAINTS ON PARTICIPATION WSB REPS IN
BUNDESVERSAMMLUNG. AGREEMENT ALSO REACHED THAT TEXT IS
A "DEFENSIVE BRIEF" FROM WHICH ALLIED AND FRG REPS COULD
DRAW IN RESPONDING TO WHATEVER POINTS SOVIET REPS MAY
MAKE ON MATTER, AND THAT TEXT NOT INTENDED FOR READING
OUT OR FOR HANDING OVER TO SOVIET REPS.

2. BEGIN TEXT:

(A) REPRESENTATIVES OF THE WESTERN SECTORS OF BERLIN,
INCLUDING REPRESENTATIVES OF THOSE SECTORS DESIGNATED
TO ATTEND MEETINGS OF THE BUNDESTAG, HAVE PARTICIPATED
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FOR SOME 20 YEARS IN THE BUNDESVERSAMMLUNG WHICH HAS

THE DUTY OF ELECTING THE PRESIDENT OF THE FRG.

(B) THE PARTICIPATION OF REPRESENTATIVES OF THE WSB IN THE ELECTION OF THE PRESIDENT OF THE FEDERAL REPUBLIC THEREFORE CONSTITUTES A PART OF THE EXSITING SITUATION. IT IS, MOREOVER, NOT IN CONTRADICTION TO THE DEFINITION OF THIS SITUATION AS CONTAINED IN THE QUADRIPARTITE AGREEMENT (QA) OF 3 SEPTEMBER 1971. BEGIN BRACKETS: SUCH PARTICIPATION TAKES PLACE PURSUANT TO A FEDERAL LAW WHICH HAS BEEN TAKEN OVER IN THE WSB IN ACCORDANCE WITH ESTABLISHED PROCEDURES. END BRACKETS.

(C) THE ONLY LIMITATIONS WHICH THE QA PUTS ON THE ACTIVITIES OF THE BUNDESVERSAMMLUNG ARE IN FACT CONTAINED IN ANNEX II, PRAGRAPH 2, WHICH STIPULATES THAT "THE BUNDESVERSAMMLUNG WILL NOT PERFORM IN THE WESTERN SECTORS OF BERLIN CONSTITUTIONAL OR OFFICIAL ACTS WHICH CONTRADICT THE PROVISIONS OF PARAGRAPH 1." THE LETTER OF THE AMBASSADORS OF THE THREE WESTERN POWERS, CLARIFYING AND INTERPRETING THE PROVISIONS OF THE QA, WHICH WAS SENT TO THE FEDERAL CHANCELLOR ON 3 SEPTEMBER 1971 AFTER BEING OFFICIALLY COMMUNICATED TO THE SOVIET AMBASSADOR, MAKES IT CLEAR THAT "MEETINGS OF THE BUNDESVERSAMMLUNG WILL NOT TAKE PLACE IN THE WESTERN SECTORS OF BERLIN". THERE IS THUS NO QUESTION BUT THAT PARTICIPATION BY REPRESENTATIVES OF THE WESTERN SECTORS OF BERLIN IN THE PRESIDENTIAL ELECTION IN A PLACE OTHER THAN BERLIN IS FULLY CONSISTENT WITH THE QA AND ITS ASSOCIATED DOCUMENTS. END TEXT.

BRACKETS AROUND LAST SENTENCE PARA 2 AGREED BY ALL SINCE MATTER OF LAS TAKE OVER STILL BEING RESEARCHED. U.S. REP STATED STRONG PREFERENCE FOR DELETION BRACKETED SENTENCE.

3. COMMENT AND ACTION REQUESTED: WE BELIEVE AGREEMENT IN BONN GROUP THAT PAPER WOULD BE A "DEFENSIVE BRIEF" AS OUTLINED PARA 1 ABOVE ADEQUATELY COVERS POSITION THAT ALLIED RESPONSE TO ANY SOVIET PROTEST SHOULD BE RELATIVELY LIMITED, WITH FRG MAKING BURDEN OF DEFENSE CONFIDENTIAL

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SINCE BUNDESVERSAMMLUNG HELD IN FRG AS ACT OF FRG SOVEREIGNTY. REQUEST APPROVAL TEXT PARA 2.
HILLENBRAND

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Message Attributes

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